

Appln No. 09/693,280
Amdt. Dated October 9, 2003
Reply to Office action of July 9, 2003

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REMARKS/ARGUMENTS

1. The Applicant notes that in response to the Applicant's persuasive arguments with respect to the non-obviousness of claims 1 to 3, the Examiner has withdrawn the previous obviousness objections and has raised new obviousness objections based upon new prior art.

2. In paragraph 3 of the Office Action the Examiner has suggested that claims 1 to 3 are obvious in light of Agnew et al (Agnew)(US 6, 304, 819) in view of Heuwieser et al (Heuwieser)(US 4,668,858).

The Applicant notes that Agnew is a system designed to convert longitude and latitude to the page and grid co-ordinates of a street directory. As Angew states *"instead of (or in addition to) being presented with the latitude and longitude co-ordinates (51'30'50" N, -0'06'34" E), the user might instead be presented with the abbreviated OS grid block for the position on sheet 176"*(see col. 4, lines 35 to 39). It does this by receiving GPS co-ordinates from a satellite, and converting them to the page and grid co-ordinates of the street directory.

The passage in column 5, lines 7 to 23 briefly mentions the *"data associated with the maps"* which is the information which tells the Agnew apparatus which street directory or atlas the user has in their possession. That passage states that the data *"may include at least one parameter related to the cartographic projection of the or each map, so that the system can accurately locate positions on maps employing different cartographic projections."* It is difficult to discern the exact nature of the *"data associated with the maps"* from Agnes' brief description. However, the location of this data is clear from the following passage:

"The data associated with the maps is preferably provided on or in the map or atlas, for example in the form of a bar code or magnetic stripe printed on the map or inside cover of the atlas, or a smart code forming an additional page to the atlas, or which is removably inserted in a pocket or the like on the map or in the atlas."(Col. 5, lines 13 to 16)

It is clear from this description that the Agnes data is placed at the side of a map, or on an extra page in an atlas or in an extra sleeve in the atlas. It is certainly not printed *"in the vicinity of a particular geographic location"* on the map itself. Furthermore, the Agnew apparatus could not be accurately described as a sensing device which *"when placed in an operative position relative to the map, sens[es] at least some of the coded data in the*

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vicinity of a particular geographic location and generat[es] the indicating data using at least some of the sensed coded data."

The Agnew apparatus receives GPS messages from a satellite, but it is not clear that it actually senses any coded data on the map surface. Even if it could be construed as "sensing" some coded data, the coded data is not disposed on the map surface "in the vicinity of a particular geographic location".

Accordingly, neither Agnew or Heuwieser disclose a method of route planning which uses a sensing device which meets the following description:

"the sensing device, when placed in an operative position relative to the map, sensing at least some of the coded data in the vicinity of a particular geographic location and generating the indicating data using at least some of the sensed coded data"

As such, neither of these citations (either individually or in combination) disclose all the features of the claimed invention. The Examiner is requested to reconsider and withdraw the obviousness objection in light of these arguments.

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